

III. REMARKS

As discussed further below, independent claims 1 and 18 are amended to distinguish over the prior art cited in the most recent Office Action.

Claim 5 is amended to specify the semi-rigid yet manually continuously bendable nature of the entire extension member recited therein.

In order to more fully claim the invention to which the applicant believes she is entitled, new claim 22 specifies a holder formed with a continuously reshapeable unitary wire construction and in which the ends of the extension member are formed with a wire-twisted configuration.

The amendment does not alter the specification or drawings, and does not present new matter into the application. All amendments and changes are supported by the original specification, claims and drawings.

Claim Rejection under 35 USC § 103

Claims 1, 5-8, 18 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Estay in view of Jones et al..

Allowed and Allowable Subject Matter

Claims 9, 12-17, 20 and 21 were allowed in the Office Action. Claims 2 and 3 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Claim Rejections

Applicant thanks the Examiner for indication of allowance and allowability of the above-noted claims.

Jones teaches a holder of a polymeric material with integrally formed hinges established by aligned, "oppositely disposed substantially V-shaped grooves" (see e.g., col. 10, lines 1-18). As combined with Estay, Jones teaching would result in the Estay device provided with integrally formed hinges established by aligned, oppositely disposed substantially V-shaped grooves.

In contrast, the holder of the present invention as now recited in amended claims 1 and 18 comprises a bendable wire stricture having a substantially constant material thickness. This aspect of the invention is not suggested in either Estay or Jones, nor is such an arrangement contemplated by permissible combination thereof. Claim 18 is further amended to delete the restrictions last added in response to the Advisory Action.

Comments to Additional Prior Art

Maier et al. and Moore et al. both show receptacle holders formed of bendable wire. Neither, however, is suitable for use as, nor can they contribute teaching to, collection of an animal urine specimen as established in the claims hereof.

Therefore, Applicant believes that all claims currently pending in the application patentably distinguish over the prior art, are in condition for allowance, and such action is respectfully requested.

Respectfully submitted,


Keith Frantz, Reg. No. 37828
401 West State Street, Suite 200
Rockford, Illinois 61101
(815) 987-9820
(815) 987-9869 [fax]